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10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 PAUL SPECA,	)	CASE NO.: 2:18-cv-00835-MMD-GWF
	)	
13 Plaintiff,	)	
	)	
14 vs.	)	<b><u>STIPULATION AND ORDER TO</u></b>
	)	<b><u>EXTEND DEADLINES</u></b>
15 AETNA LIFE INSURANCE COMPANY,	)	<b>(SECOND REQUEST)</b>
as Claims Administrator for The Home	)	
16 Depot, U.S.A., Inc. Temporary Disability	)	
17 Income Plan; THE HOME DEPOT, USA,	)	
18 INC., Temporary Disability Income Plan,	)	
	)	
19 Defendants.	)	

20 IT IS HEREBY STIPULATED by the parties hereto, by and through their  
21 undersigned counsel of record that, pursuant to LR 26-4, the Scheduling Order (Doc. # 15) be  
22 amended as follows:

23 **I. Discovery Completed**

24 The Joint Administrative Record in this ERISA claim was filed with this Court by  
25 Defendant AETNA LIFE INSURANCE COMPANY (AETNA) on November 16, 2018  
26 without the need for discovery briefs.

**II. Deadlines Remaining and Reason for Request for Extension**

Plaintiff's Rule 52 and/or Rule 56 Motion is currently due by January 7, 2019. The parties are still in the process of discussing alternative dispute options. Due to the holidays and an unusually busy December for Plaintiff's counsel, she has not been able to confer with

her client regarding alternative dispute resolution but will be doing so shortly. Accordingly, the parties would like to extend the dispositive motion due date an additional 30 days to allow them time to pursue those options.

**III. Proposed Briefing Schedule**

Plaintiff SPECA and Defendant AETNA hereby agree and stipulate to the following proposed deadline extensions:

<u>Description:</u>	<u>Current Deadline:</u>	<u>Proposed:</u>
Plaintiff's Dispositive ERISA Motion under Rule 52 and/or 56	01/07/19	02/06/19
Aetna's Response to Dispositive Motion	02/04/19	03/06/19
Plaintiff's Reply	02/19/19	03/21/19

We, the undersigned, represent to the Court that this request for extension is made in good faith and not for purposes of delay.

WHEREFORE, the parties jointly request that this Court adopt the proposed scheduling deadlines as indicated above.

DATED: January 2, 2019

LAW OFFICE OF JULIE A. MERSCH

By: /s/ Julie A. Mersch  
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DATED: January 2, 2019

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

By: /s/ Kristina N. Holmstrom  
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*Attorneys for Defendant AETNA*

**IT IS SO ORDERED:**

Dated this 3rd day of January, 2019.

  
UNITED STATES MAGISTRATE JUDGE